

A F F I R M A T I O N V O T E

RESPONSE SHEET

RELEASED TO THE PDR

TO: John C. Hoyle, Secretary

10/28/96
date Initials

FROM: COMMISSIONER MCGAFFIGAN

SUBJECT: SECY-96-172 - FINAL RULEMAKING - REVISION TO
10 CFR PART 20, CONSTRAINT FOR AIRBORNE
RADIOACTIVE EFFLUENTS TO THE ENVIRONMENT
FROM NRC LICENSEES OTHER THAN POWER REACTORS
AND AGREEMENT STATE LICENSEES; AND REVISION
OF THE GENERAL STATEMENT OF POLICY AND
PROCEDURES FOR NRC ENFORCEMENT ACTIONS

Approved X Disapproved Abstain

Not Participating Request Discussion

COMMENTS: As with Commissioner Diaz, I reluctantly approve this revision to 10 CFR Part 20 based on the representations by the staff that the changes will not have adverse impacts on licensees, are necessary to eliminate dual regulation, and will, in fact, result in the rescission of EPA's regulations in this area. My reluctance otherwise to go forward with these changes stems from the fact that the changes have not been justified on public health and safety grounds.

I also agree with Commissioner Dicus that the staff should brief the Commission on the agency's overall approach to addressing the issues of dual regulation and sensible risk harmonization in our interactions with EPA.

9610300001 961008
PDR COMMS NRCC
CORRESPONDENCE PDR

Edward M. McGaffigan Jr.
SIGNATURE

Release Vote X

Commissioner NRCC

10/28/96
DATE

Withhold Vote

Entered on "AS" Yes X No